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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/477,331	01/04/2000	GORDON ARNOLD	52817.000087	9092

29315 7590 10/18/2002

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EXAMINER

HU, JINSONG

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 10/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/477,331

Applicant(s)

ARNOLD ET AL.

Examiner

Jinsong Hu

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Detailed Action

1. Claims 1-27 are presented for examination.
2. The drawings are objected to because Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office Action to avoid abandonment of the application.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Birrell et al. (US 6,092,101).

5. As per claim 1, Birrell teaches the invention as claimed including a method of managing a plurality of messages [col. 4, lines 10-24] hosted on a plurality of message stores [col. 4, lines 10-13; col. 5, lines 14-16] comprising the steps of:

accepting message access request [col. 4, lines 50-52] at a message access port [130, 131, Fig. 1; col. 4, lines 5-9]; and

transmitting a set of corresponding access requests to a set of associated message stores [240, Fig. 2; col. 4, lines 53- 57].

6. As per claim 2, Birrell teaches the step of accepting a set of replies from the associated message stores wherein the set of replies comprises a report of pending messages and transmitting an output of a consolidated message list [col. 11, lines 11-15; col. 16, lines 17-21].

7. As per claim 3, Birrell teaches the step of accepting a second message process request [col. 13, lines 55- 62] and transmitting a set of associated process requests to the set of associated message stores [242, Fig. 2; col. 5, lines 14-16].

8. As per claim 4, Birrell teaches that the message access port comprises a networked proxy server [col. 4, lines 5-9].

9. As per claim 5, Birrell teaches that the message stores have reassignable network addresses [col. 10, lines 29-49; 840, Fig. 8].

10. As per claim 6, Birrell teaches that the POP3 standard is utilized in at least one step [240, Fig. 2].

11. As per claim 7, Birrell teaches that consolidated message list comprises a list of e-mail messages [col. 11, lines 11-15].

12. As per claim 8, Birrell teaches that an administrative module at the message access port performs predetermined service functions [300, Fig.2].

13. As per claims 9-17, since they are system claims of claims 1-4 and 6-8, they are rejected under the same basis as claims 1-4 and 6-8.

14. As per claims 18-24, since they are means claims of claims 9-17, they are rejected under the same basis as claims 9-17.

15. As per claim 25, Birrell teaches the invention as claimed including a storage medium for storing computer readable code, the computer readable code being executable to manage a plurality of messages [col. 4, lines 53-57] hosted on a plurality of message stores according to the steps of:

accepting an input of a message access request [col. 4, lines 50-52] at a message access port [240, Fig. 2; col. 4, lines 53- 57]; and

transmitting a set of modified access requesting [col. 10, lines 39-41; i.e., using the latest server address], to a set of associated message stores [240, Fig. 2; col. 4, lines 53- 57].

16. As per claims 26-27, since they are program claims of claims 2-3, they are rejected under the same basis as claims 2-3.

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Gramlich (US 5,826,025) discloses a overlay proxy system; and

Cianfrocca et al. (US 6,088,796) discloses a middleware control system.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (703) 306 – 5932.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An, can be reached on (703) 305-9678. The fax number for this Group is (703) 308-9052. Additionally, the fax numbers for Group 2100 are as follow:

Official Faxes: (703) 746-7239

After Final Responses: (703) 746-7238

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Draft Responses: (703) 746-7240

Any inquiry of a general nature or relating to the status of the application should be directed to the Group receptionist at (703) 305-3900.

Jinsong Hu

October 15, 2002


ZARNI MAUNG
PRIMARY EXAMINER